

From: [Cora, Lori](#)
To: [Loren R. Dunn](#); [Weber, David](#)
Cc: [Ebright, Stephanie](#); [Sheldrake, Sean](#); [Zhen, Davis](#)
Subject: Portland Harbor - Pre-RD Sampling; EPA's Revised AOC/SOW and Table 1
Date: Friday, August 18, 2017 3:19:56 PM
Attachments: [EPA revd 2017-08-18 Pre-RD AOC \(redline\) \(002\).docx](#)
[EPA Revision 08_18-17 Draft PHPRDand Baseline SOW .docx](#)
[Table 1 - PDI Sampling Scope updated 8-17-17 v3.pdf](#)

Dear Loren and David:

The EPA team appreciates the great discussion we had yesterday and believe we are very close to agreement on the scope of work and AOC for pre-remedial design sampling. As we discussed, I am forwarding EPA's response to the Pre-RD Group's proposed revisions to the AOC and SOW. Redlining in the AOC reflects changes EPA is making to our original draft sent to the Group on July 6. In addition to changes by the Group we are accepting, there are new proposed changes by EPA, such as the dispute resolution provision and reservation of claims language. Please be aware that the proposed revisions to Sections 19 and 21 have not received final DOJ management approval. We will notify you immediately once we have that approval or any changes needed.

The SOW changes reflect some of the Group's proposed changes, but also changes that we believe are consistent with the negotiations to date. Along with the AOC and SOW, we are also sending Table 1 that we discussed yesterday (minus Columns 2,3, and 4) which in more detail reflects the agreements on the scope of work and reporting requirements, which would be attached to the SOW.

As we indicated yesterday, EPA senior management desires agreement in principal by early next week. We understand there are a couple items EPA needs to get back to you with, which we will attempt to do by COB Monday. Therefore, EPA wants to hear from the Group if we have agreement on the scope of work and on significant legal issues by COB Tuesday.

Thank you and let me or Stephanie know if you have questions about this email or any of the attachments.

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